

Notice of Allowability

Application No.

10/533,282

Examiner

Rhonda S. Peace

Applicant(s)

CONTAG, KARSTEN

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment filed 6/6/2006.
2. ☒ The allowed claim(s) is/are 18,21-26,28 and 30-34.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


John D. Lee
Primary Examiner

DETAILED ACTION

Allowable Subject Matter

Claims 18, 21-26, 28, and 30-34 are allowed.

The following is an examiner's statement of reasons for allowance:

- Pertaining to claim 18, the applicable prior art does not disclose, nor does it reasonably suggest a device for thermally treating an optical waveguide comprising a radiation source, and first and second optical systems, where the first optical system is configured to direct a beam emitted from the source onto a first side of an optical waveguide in a direction transverse to the waveguide's longitudinal axis, and wherein the optical fiber is placed completely outside a center axis of the beam profile in the transverse direction, and where the *second optical system is placed behind the optical waveguide and is configured to image the beam profile in a non-inverted fashion in a plane parallel to the longitudinal axis of the fiber, and also images the beam in an inverted fashion in the plane extending transversely with respect to the longitudinal axis of the waveguide, in each case with an approximate ratio of 1:1.* As claims 21-26 and 32-34 are dependent upon claim 18, they are also considered allowed at this time, due to their inheritance of the allowable limitations of claim 18.
- Concerning claim 28, the applicable prior art does not disclose, nor does it reasonably suggest a device for thermally treating an optical waveguide

comprising a radiation source, and first and second optical systems, where the first optical system is configured to direct a beam emitted from the source onto a first side of an optical waveguide in a direction transverse to the waveguide's longitudinal axis, and wherein the optical fiber is placed completely outside a center axis of the beam profile in the transverse direction, and the second optical system (placed behind the optical waveguide) comprises a cylindrical mirror and a cylindrical lens, *where the focal length of the cylindrical mirror is essentially half the distance between the cylindrical mirror and the waveguide.*

- With regard to claim 30, the applicable prior art does not disclose, nor does it reasonably suggest a device for thermally treating at least one optical waveguide comprising a radiation source, and first and second optical systems, where the first optical system is configured to direct a beam emitted from the source onto a first side of an optical waveguide in a direction transverse to the waveguide's longitudinal axis, and wherein the optical fiber is placed completely outside a center axis of the beam profile in the transverse direction, and wherein *the distance between the waveguides to be treated corresponds to at least a diameter of the waveguide, and wherein the beam profile extends over the outermost waveguides by a length of at least one diameter of one of the waveguides.*

As claim 31 depends from claim 30, it is also considered allowed due to its inheritance of the patentable limitations of claim 30.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

Applicant's arguments, see pages 7-8, filed 6/6/2006, with respect to claims 18, 21-26, 28, and 30-34 have been fully considered and are persuasive. The 35 U.S.C. §102(e) rejection of claims 18, 21-23 and 31-34, as well as the 35 U.S.C. §103(a) rejection of claims 24-26, have been withdrawn.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rhonda S. Peace whose telephone number is (571) 272-8580. The examiner can normally be reached on M-F (8-5).

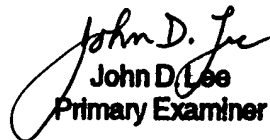
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571) 272- 2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Rhonda S. Peace
Examiner
Art Unit 2874



John D. Lee
Primary Examiner